

OFFICE OF THE GENERAL COUNSEL

MEMORANDUM GC 95-9

June 7, 1995

TO : All Regional Directors, Officers-in-Charge
and Resident Officers

FROM : Fred Feinstein, General Counsel

SUBJECT: Paperwork Reduction - Elimination or Modification of
Submission/Clearance Requirements

Among the fundamental tenets of my administration as General Counsel, are that, to the extent possible, authority should be made to reside with the individuals closest to the work, that nonessential clearances and reviews should be eliminated and that reports and submissions of other sorts should be discontinued except where needed for the accomplishment of the mission.

In keeping with these tenets, and consistent with the philosophy of the National Performance Review (NPR), I have delegated authority to Regional Directors in a number of areas¹ and eliminated certain requirements that documents be submitted to Washington headquarters offices on a regular basis.² Because the need to examine procedures and processes in any dynamic organization is a continuing one, we have reviewed existing manual provisions requiring the submission of documents to and the securing of clearances from Washington, and have identified those that we believe may be discontinued or modified to lessen your administrative burden. Those provisions and their revisions are set forth in the table below.

The revisions reported below will be included in the next edition of the appropriate manual.

¹See, Memorandum GC 94-9, dated August 12, 1994, "Investigative Subpoenas;" Memorandum GC 94-10, dated September 8, 1994, "General Counsel Priorities: Delegations to the Regional Directors and Assessing the Progress in Achieving the Priorities;" and Memorandum GC 94-14, dated November 2, 1994, "Section 102.118 Delegation."

²Memorandum GC 94-10, *supra*.

Manual Section	Revision
10024.2 Notification to the Division of Operations-Management (O-M) of contact with Special Litigation Branch (Spec. Lit.) re request for Board to intervene in private litigation	Eliminate
10310(1) Requirement to notify O-M of request for 10(j) relief or Regional decision sua sponte	Eliminate
10430.1 Analysis of ALJD to be submitted to O-M;	Revise to require that analysis of ALJD be prepared and submitted to O-M only with respect to significant losses.
10434 O-M to be advised whether exceptions to be filed to the ALJD. cf. 10430.1, 10772-10772.3	As with 10430.1 , above.
10450 Analysis of Board Decision, see also 10430.1	Revise to require that analysis of Board decision be prepared and submitted to O-M only with respect to significant losses.
11730.5 RD advice from Executive Secretary's Office (ESO), copy O-M, to proceed with R case where fair election can be conducted, notwithstanding concurrent C case and no request to proceed.	Eliminate
11730.6 RD advice from ESO, copy O-M, to proceed with R case where significant common issues will be resolved, notwithstanding concurrent C case and no request to proceed.	Eliminate
11730.5 copy to O-M of request for advice to ESO	Eliminate
11730.6 copy to O-M of request for advice to ESO	Eliminate
11751.3(a) O-M precomplaint clearance required where conduct may also constitute noncompliance with pending ALJD, Board Order or court judgment.	Eliminate (But 10566.2 and 10590.4 retained for consultation with Division of Enforcement Litigation (Enf. Lit) and Contempt Litigation Branch (CLB), respectively)
11751.6(e) O-M clearance required before issuing complaint where noncompliance with prior case may be involved.	Eliminate (But 10566.2 and 10590.4 retained for consultation with Enf. Lit and CLB, respectively)
11790.3 Subpoena enforcement papers and pleadings to be submitted to O-M	Eliminate

10680.1 A.6. O-M authorization required to use private tracing services. See also 10548.2, 10601.7	Eliminate - Regions to be authorized to utilize tracing service.
10680.1 A.17. Secure clearance before admitting a tolling of backpay in a compliance specification in close or doubtful situation. See also 10621.6	Eliminate
10680.1 A.21. Secure clearance before closing case administratively, without notification to the parties. See also 10685.5	Eliminate
10680.1 B.8. Submit to O-M copies of papers filed to secure enforcement of investigative subpoena. See also 10590.2.	Eliminate
10680.1 B.9. Submit to O-M copy of notification submitted to CLB of additional parties that may be liable for backpay in court judgment cases. See also 10590.8(d)(4).	Eliminate
10680.1 B. 13. Submit to O-M copy of submission to Advice or Special Litigation concerning respondents who have been discharged in bankruptcy. See also 10610.2(m).	Eliminate
10680.1 B. 14. Submit to O-M recommendation that enforcement proceedings be initiated when respondent is in liquidation through bankruptcy. See also 10610.10.	Eliminate
10680.1 B. 15. Submit to O-M copy of any compliance spec. issued. See also 10622.4	Eliminate
10680.1 B. 16. Submit to O-M copy of any amended compliance spec. issued, when amendments are substantial. See also 10625.	Eliminate
10680.1 B. 20 Submit to O-M copy of Closed Case Report. See also 10676.	Eliminate, submit directly to Case Records Unit
10680.1 C.1. Notify O-M of significant developments in securing compliance with a Board order when the case has been referred for enforcement proceedings. See also 10585.5.	Eliminate, notification should be to Enf. Lit.
10680.1 C.4. Notify O-M of the Region's determination that a new ulp charge lacks merit, when the charge has been filed against a respondent in a court judgment case that the Region has submitted to CLB, recommending contempt proceedings.	Eliminate (retain requirement to notify CLB, 10592.2).

10680.1 C.5. Notify O-M of significant developments of progress in securing compliance with a court judgment case which the Region has submitted to CLB, recommending contempt proceedings.	Eliminate (retain requirement to notify CLB, 10592.2).
10680.1 C.6. Notify O-M of threat by a respondent or third party to initiate litigation against the Board on the basis of notice given to potential successors of the pendency of unfair labor practice proceedings.	Eliminate (retain requirement to notify Spec. Lit., 10594.3(a)).
10685.5 Procedures for closing cases administratively, without notice to the parties.	Revise to reflect that clearance from O-M is no longer required to close cases administratively without notice to the parties.
Clerical Manual (CL) 12045.13 Copy of Complaint and transmittal memo to be submitted to O-M	Eliminate
CL 12066.3 Submit copy of Bill of Particulars to O-M	Eliminate
CL 12072 Submit analysis of ALJD to O-M	Revise to require that analysis of ALJD be prepared and submitted to O-M only with respect to significant losses.
CL 12086.3 Submit copy of Form NLRB 4582, Closed Case Report, to O-M	Eliminate - Region to continue to submit copy to Case Records Unit
CL 12124 Submit copy of request to ESO for advice on R-case processing to O-M	Eliminate
CL 12164.1 Submit to O-M copy of Form NLRB 4481, "Order Transferring Case to the Board" (before close of hearing)	Eliminate
CL 12164.2 Submit to O-M copy of Form NLRB 4481, "Order Transferring Case to the Board" (after close of hearing)	Eliminate
CL 12181 Submit copy of Regional Director Decision to O-M with transmittal memo	Eliminate - copy of Decision to be submitted to Statistical Services Unit only.
CL 12190 Submit copy of Report on Objections and/or Challenges-Consent Elections to O-M	Eliminate - copy of Decision to be submitted to Statistical Services Unit only.
CL 12191 Submit copy of Report on Objections and/or Challenges-Stipulation Elections to O-M	Eliminate - copy of Decision to be submitted to Statistical Services Unit only.

CL 12196 Submit copy of Regional Director's Supplemental Decision to O-M	Eliminate - copy of Decision to be submitted to Statistical Services Unit only.
---	---

In addition, Regions are no longer required to submit on a monthly basis the mileage information for GSA, POV or rental cars to Operations-Management. You will still need to ensure that the use of GSA cars for official business only is properly documented and that the necessary expense information is reported directly to finance. We have also decided to eliminate the weekly reporting of acute care hospital cases when the intake is reported and copies of acute care hospital petitions no longer need to be submitted to Operations-Management. Finally, as you have been advised previously, monthly Beck reports no longer need to be submitted.

If you have any further suggestions or questions concerning any of these matters, please communicate with me or your Assistant General Counsel.

F. F.

cc: NLRBU

Memorandum GC 95-9